

Real Estate Settlement Procedures Act		YES	NO
1.	Within three business days after receiving a written application for a federally related mortgage loan, does the institution provide the applicant with a copy of the Special Information Booklet?	_____	_____
2.	Are good faith estimates of settlement costs provided to all applicable loan applicants within 3 business days following the receipt of a written application?	_____	_____
a.	Do good faith estimates provided to an applicant bear a reasonable relationship to the charges the applicant will likely be required to pay at settlement?	_____	_____
b.	Does the form on which the institution provides its good faith estimates include the institution's name and set forth in bold type substantially the statement required by Section 3500.7(d)(1)?	_____	_____
3.	Where the institution requires that a particular individual, firm or company be used to provide legal services, title examination services or title insurance, or to conduct settlement, and requires the borrower to pay for any portion of the cost of such services, does the good faith estimate:		
a.	Clearly indicate which estimated charge is to be imposed by each designated provider?	_____	_____
b.	State the name, address and telephone number of each designated provider, the services to be rendered by each such provider, and the fact that the institution's estimate for the services is based upon the charges of the designated provider?	_____	_____
c.	State whether or not each designated provider has a business relationship with the institution?	_____	_____
4.	Does the institution use and properly prepare the HUD-1 and HUD-1A for settlements of applicable loans?	_____	_____
a.	Does the HUD-1 and HUD-1A show itemized charges to be paid by the borrower and as applicable, the seller, including and/or excluding contract charges to be paid outside of settlement which were imposed by the institution?	_____	_____
b.	During the business day immediately preceding the day of settlement is the borrower permitted, upon request, to inspect the Uniform Settlement Statement (HUD-1 or HUD-1A) completed as to those items known at the time to the person who will conduct the settlement?	_____	_____
c.	Unless waived or exempt, is the HUD-1/ HUD-1A delivered or mailed to the borrower and seller or their agents at or before settlement?	_____	_____
d.	Does the institution retain a copy of the Uniform Settlement Statement (HUD-1 or 1A) for two years after the date of the settlement?	_____	_____

5. Does the institution refrain from charging a fee for the preparation and distribution of the HUD-1 and HUD-1A or documents required under the Truth in Lending Act? _____
6. Does the institution observe, both at settlement and with each monthly instalment payment, the limitations placed on amounts that may be required to be deposited in an escrow account for the payment of taxes, insurance premiums or other expenses? _____

Real Estate Settlement Procedures Act (continued)**YES****NO**

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| 7. | Is the institution aware of, and in compliance with, the prohibitions against kickbacks and unearned fees of RESPA? | _____ | _____ |
| 8. | Does the institution deliver the required disclosure statement relating to the transfer, sale or assignment of mortgage servicing to applicant(s) for federally-related mortgage loans and all refinancings of mortgage loans subject to RESPA at the time of application or, if the application was not received during a face-to-face interview, the disclosure is mailed with prepaid first-class postage within 3-business days of receipt of the application? (3500.21(b) and 3500.21(d)) | _____ | _____ |
| a. | When co-applicants indicate different addresses on the application, does the institution deliver one copy to each of the applicants? (3500.21(d)) | _____ | _____ |
| b. | Does the disclosure statement contain all of the required information? Namely, does it include: (3500.21(b)) | | |
| 1. | Information on whether the servicing of the loan may be transferred, sold or assigned any time while it is outstanding? (3500.21(b)(1)) | _____ | _____ |
| 2. | The percentage, rounded to the nearest quartile (25%), of mortgage loans the institution originated for which the loan servicing has been transferred, sold or assigned for the most recent 3 calendar years (for 1991, the percentage should be based on loans transferred in 1990; for 1992, the percentage should be based on loans transferred in 1990 and 1991)? (3500.21(b)(2)(2)) | _____ | _____ |
| i. | Is the percentage included in the disclosure not later than 31 days after the end of the calendar year? (3500.21(b)(2)) | _____ | _____ |
| ii. | Does the institution indicate whether the percentages include sales or transfers to affiliates of subsidiaries? (3500.21(b)(2)) | _____ | _____ |
| (If the percentage of transfers are less than 12.5%, the word "nominal" or the actual percentage amount of servicing transfers may be used.) | | | |
| 3. | An estimate of the percentage, expressed as one of four ranges (between 0 and 25 percent, between 26 and 50 percent, between 51 and 75 percent, and between 76 and 100 percent), of loans the institution may transfer, sell or assign during the 12-month period beginning on the date the loan is originated? (3500.21(b)(3)) | _____ | _____ |

Real Estate Settlement Procedures Act (continued)**YES****NO**

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| i. | Is the percentage calculated by dividing the number of loans for which servicing may be transferred, sold or assigned by the total number of loans expected to be originated? (3500.21(b)(3)) | _____ | _____ |
| ii. | Does the institution indicate whether the percentages include transfers to affiliates or subsidiaries? (3500.21(b)(3)) | _____ | _____ |
| 4. | A summary of the notice to be made by the present servicer (transferor) and the new servicer (transferee) at the time of transfer, sale or assignment? (The sample language set forth in Appendix A may be used.) (3500.21(b)(4)) | _____ | _____ |
| 5. | A summary of duties of loan servicers to respond to borrower inquiries? (The sample language set forth in Appendix A may be used.) (3500.21(b)(5)) | _____ | _____ |
| 6. | The written acknowledgment that the applicant has read and understood the disclosure in the format stated in the model disclosure in Appendix A? (3500.21(c)) | _____ | _____ |
| i. | The acknowledgment is signed by the applicant(s)? (3500.21(c)) | _____ | _____ |
| ii. | The signed acknowledgment is received by the institution before the loan is closed and is part of the loan package? (3500.21(c)) | _____ | _____ |

Notice of Transferor and Transferee

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| 9. | Prior to the transfer, sale or assignment of servicing for mortgages and refinancings subject to RESPA, does the institution (as present servicer) notify the borrower in writing of the transfer of servicing at closing or less than 15 days before the effective date of the transfer? (3500.21(e)(1)(i)) | _____ | _____ |
| a. | If not, has the notice been delivered within 30 days after the transfer when the transfer is preceded by termination of the contract for servicing of the loan for cause, commencement of proceedings for bankruptcy of the servicer, or commencement of proceedings by the FDIC or RTC for conservatorship or receivership of the servicer? (3500.21(e)(1)(ii)) | _____ | _____ |
| b. | Does the notice include the following: | | |
| 1. | Effective date of the transfer? (3500.21(e)(2)(i)) | _____ | _____ |
| 2. | Name, address, and toll-free or collect telephone number of the new servicer? (3500.21(2)(e)(ii)) | _____ | _____ |

Real Estate Settlement Procedures Act (continued)**YES****NO**

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| 3. | Toll-free or collect telephone number for an individual with the present servicer to answer inquiries relating to transfer servicing? (3500.21(e)(2)(iii)) | _____ | _____ |
| 4. | Toll-free or collect telephone number for an individual with the new servicer to answer inquiries relating to transfer servicing? (3500.21(e)(2)(iv)) | _____ | _____ |
| 5. | Date on which the present servicer stops accepting payments on the loan and the date the new servicer begins accepting payments on the loan? (3500.21(e)(2)(v)) | _____ | _____ |
| 6. | Information on the effect the transfer may have on the terms or continuance of optional insurance and any action the borrower must take to maintain coverage? (3500.21(e)(2)(vi)) | _____ | _____ |
| 7. | A statement that the transfer of servicing does not affect any terms or conditions of the security instruments other than those directly related to servicing the loan? (3500.21(e)(2)(vii)) | _____ | _____ |

Real Estate Settlement Procedures Act (continued)**YES****NO**

10. When the institution being examined is the new servicer, has it notified the borrower in writing of the transfer of servicing at closing or not more than 15 days after the effective date of the transfer? (3500.21(e)(1)(i)) _____
- a. If not, has the notice been delivered within 30 days after the transfer when the transfer is preceded by termination of the contract for servicing of the loan for cause, commencement of proceedings for bankruptcy of the servicer, or commencement of proceedings by the FDIC or RTC for conservatorship or receivership of the servicer? (3500.21(e)(1)(ii)) _____
- b. Does the notice include the following:
1. Effective date of the transfer? (3500.21(e)(2)(i)) _____
 2. Name, address, and toll-free or collect telephone number of the new servicer? (3500.21(e)(2)(ii)) _____
 3. Toll-free or collect telephone number for an individual with the present servicer to answer inquiries relating to transfer servicing? (3500.21(e)(2)(iii)) _____
 4. Toll-free or collect telephone number for an individual with the new servicer to answer inquiries relating to transfer servicing? (3500.21(e)(2)(iv)) _____
 5. Date on which the present servicer stops accepting payments on the loan and the date the new servicer begins accepting payments on the loan? (3500.21(e)(2)(v)) _____
 6. Information on the effect the transfer may have on the terms or continuance of optional insurance and any action the borrower must take to maintain coverage? (3500.21(e)(2)(vi)) _____
 7. A statement that the transfer of servicing does not affect any terms or conditions of the security instruments other than those directly related to servicing the loan? (3500.21(e)(2)(vii)) _____

NOTE: Both notices may be combined in one notice if the 15-day provision period before the transfer is met and all information required is disclosed. Alternatively, the required notice can be made at settlement as separate notices or as one notice and satisfy the timing requirements. (3500.21(e)(1)(i) and 3500.21(e)(1)(iii))

11. During the 60-day period beginning on the effective date of the transfer of servicing, have any late fees been imposed with respect to any payment or were payments treated as late when the payment is received by the transferor rather than the transferee before the due date for the payment? (3500.21(e)(4)) _____

Real Estate Settlement Procedures Act (continued)

YES

NO

12. Does the institution provide information regarding any overdue payment to any consumer reporting agency during the 60-day period beginning on the date the institution received any qualified written requests relating to a dispute regarding the borrower's payment? (3500.21(f)(4)(i))

Real Estate Settlement Procedures Act (continued)**YES****NO**Responding to Borrower Inquiries

13. Does the institution respond to borrower inquiries relating to the servicing of RESPA mortgage loans and refinancings as prescribed in the regulation? (3500.21(f)(1))

Specifically, does the institution:

- a. Provide a written response acknowledging receipt of a qualified written request from a borrower for information relating to the servicing of the loan within 20-business days? (3500.21(f)(1))

1. If not, has the action requested been taken within the 20-business day period and the borrower notified in accordance with 13(B) below? (3500.21(f)(1))

- b. Within 60-business days after the receipt of a qualified written request, does the institution make appropriate corrections in the account of the borrower and provide a written notification of the correction (including in the notice the name and telephone number of a representative of the institution who can provide assistance)? (3500.21(f)(3)(i))

OR

Provide the borrower with a written explanation:

1. Stating the reasons the account is correct (including the name and telephone number of a representative of the institution who can provide assistance)? (3500.21(f)(3)(ii)(A))

OR

Explaining why the information requested is unavailable or cannot be obtained by the institution (including the name and telephone number of a representative of the institution who can provide assistance)? (3500.21(f)(3)(ii)(B))

Escrow Accounts

14. Does the institution establish escrow accounts for payment of taxes and insurance premiums and other charges relating to the property in connection with a federally-related mortgage loan?

- a. If so, does the institution notify the borrower not less than annually of any shortage of funds in escrow and make timely payments from the account? (10(b))

- b. Does the institution provide an initial statement at loan closing or not later than 45 days after the date the escrow is established? (10(c)(1)(B) and 10(c)(1))

Real Estate Settlement Procedures Act (continued)

	YES	NO
1. Does the initial statement clearly itemize the estimated taxes, insurance premiums, and other charges to be paid during the first 12 months after the account is established? (10(c)(1)(A))	_____	_____
2. Does the initial statement include the anticipated payment dates? (10(c)(1)(A))	_____	_____
c. Does the institution provide an annual statement not less than once each 12-month period and not more than 30 days after the end of each 12-month period? (10(c)(2)(B))	_____	_____
1. Does the annual statement include the following disclosures:		
i. The amount of the borrower's current monthly payment? (10(c)(2)(A))	_____	_____
ii. The portion of the monthly payment being placed in the escrow account? (10(c)(2)(A))	_____	_____
iii. The total amount paid into the escrow account during the period? (10(c)(2)(A))	_____	_____
iv. The total amount paid out of escrow account during the period for taxes, insurance premiums, and other charges, separately identified by type of charge? (10(c)(2)(A))	_____	_____
v. The balance in the escrow account at the end of the period? ((10(c)(2)(A))	_____	_____
vi. All interest, if any paid on the escrow account funds?	_____	_____
vii. Notice of any shortage of funds in the escrow account (unless such notice has already been given to the borrower within this annual escrow account year)?	_____	_____
15. Does the institution charge any fee to prepare or distribute the initial or annual escrow account statement? (12)	_____	_____
16. Does the institution make payments from the escrow account for taxes, insurance premiums and other charges in a timely manner as they become due? (6(g))	_____	_____